## REMARKS

The present application was filed on February 27, 2004 with claims 1-20.

In the outstanding Office Action dated August 31, 2007, the Examiner: (i) rejected claim 16 under 35 U.S.C. §101; (ii) rejected claims 1-20 under 35 U.S.C. 112 second paragraph as being indefinite; (iii) rejected claims 1-20 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,973,485 to Ebata et al. (hereinafter "Ebata").

In this response, Applicants traverse the §101, §112, second paragraph and §102(e) rejections and amend the claims. Independent claim 9 is canceled. Applicants respectfully request reconsideration of the application in view of the amendments above and remarks below.

With regard to the §101 rejection of claim 16, Applicants traverse the §101 rejection on the ground that "an article of manufacture ... comprising a machine readable medium containing one or more programs" that, when executed by a computer, performs one or more steps producing a useful, concrete, and tangible result, constitutes statutory subject matter. See, e.g., In re Beauregard, 53 F.3d 1583; 35 USPQ2d 1383 (Fed. Cir. 1995); In re Lowry, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994). Notwithstanding the traversal, Applicants have amended independent claim 16 without prejudice, solely in order to expedite prosecution of the application by clarifying that the invention is directed to a computer readable storage medium. Accordingly, the §101 rejection of claim 16 should be withdrawn.

With regard to the §112, second paragraph rejection of claims 1 and 9, Applicants have canceled claim 9, and amended claim 1 to recite determining a "characteristic." Similar amendments have been made to claims 2, 5, 11, 12 and 16-18 in order to maintain consistency.

With regard to the Examiner's uncertainty of the meaning of "level of data accuracy" and "level of personalization," claims 3 and 4 recite how the level of personalization is determined. Furthermore, the specification at page 9, lines 18-22 explains that personalization is just one example of an application of the invention. More generally, the invention provides a methodology for providing differentiated accuracy of information. In some cases, accuracy of information may be the degree of personalization. In other cases, it may be something entirely different (e.g., degree of image resolution).

Accordingly, Applicants respectfully request the §112, second paragraph rejection of claims 1-20 be withdrawn.

Regarding the §102(e) rejection of claims 1-20, Applicants initially note that MPEP §2131 specifies that a given claim is anticipated "only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," citing Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, MPEP §2131 indicates that the cited reference must show the "identical invention . . . in as complete detail as is contained in the . . . claim," citing Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicants respectfully traverse the §102(e) rejection on the ground that the Ebata reference fails to teach or suggest each and every limitation of claims 1-20 as alleged.

Amended claim 1 is directed to a method of delivering content in a client-server system based on a request from a client, comprising the steps of: obtaining the request; determining a characteristic of at least one server or at least one cache of the client-server system; and determining a level of data accuracy to be delivered to the client in response to the request, the determination being based on: (i) the determined characteristic of the at least one server or the at least one cache; and (ii) at least one preference associated with the client.

In Ebata, at column 9, line 49 through column 10, line 15, network computer (NC) 3 uses request message 400 to inquire about an IP address of the server from which the service is to be requested. The request message 400 is transmitted to DNS server 4. Upon obtaining the request, Ebata does not disclose that a characteristic of DNS server 4 is determined, and a level of data accuracy to be delivered to NC 3 in response to request message 400 is determined, the determination being based on: (i) the determined characteristic of DNS server 4; and (ii) at least one preference associated with NC 3.

The Examiner refers to column 4, line 48 through column 5, line 3 as disclosing the step of determining a characteristic of at least one server or at least one cache of the client-server system. Assuming for the sake of argument that the load conditions of the proxy servers in Ebata are the recited determined characteristic of at least one server or at least one cache of the client-server

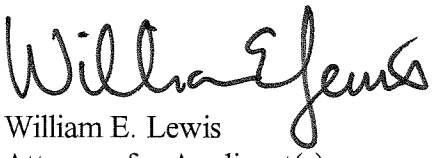
system, and that the most approximate SPS to the NC3, meaning the SPS that is located as close to the NC 3 as possible and is at as small a load as possible is the recited at least one preference associated with the client, Ebata does not teach or suggest determining a level of data accuracy to be delivered to NC 3 in response to the request, the determination being based on load conditions of the proxy servers and the most approximate SPS to the NC3.

Accordingly, it is believed that the teachings of Ebata fail to meet the limitations of claim 1. Independent claims 10, 11, 16, 17 and 20 include limitations similar to those of claim 1, and are therefore believed allowable for reasons similar to those described above with reference to claim 1.

Regarding the claims that depend from claims 1, 11 and 17, Applicants assert that such claims are patentable not only due to their respective dependence on claims 1, 11 and 17, but also because such claims recite patentable subject matter in their own right.

In view of the above, Applicants believe that claims 1-8 and 10-20 are in condition for allowance, and respectfully request withdrawal of the §101, §112 and §102(e) rejections.

Respectfully submitted,



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